

121703

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 245972US2DIV

First Inventor or Application Identifier Tetsuro MOTOYAMA

Title METHOD AND SYSTEM FOR DIAGNOSIS AND CONTROL OF MACHINES USING  
CONNECTION AND CONNECTIONLESS MODES OF COMMUNICATION

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Commissioner for Patents  
Mail Stop Patent Application  
Alexandria, Virginia 22313

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification Total Sheets
3. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets
4. ☒ Oath or Declaration Total Pages
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation/divisional with box 17 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)
6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification or Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment recorded @ Reel/Frame: 7543/0243
8. ☒ Application Data Sheet. See 37 CFR 1.76
9. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ White Advance Serial No. Postcard
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27
16. ☒ Other: Request for Priority  
Nonpublication Request

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no.: 08/738,659

Prior application information: Examiner: LUU, LE HIEN Group Art Unit: 2141

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

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Name:	James J. Kulbaski	Registration No.:	34,648
Signature:	Kurt M. Berger	Date:	Dec. 17, 2003
Name:	Kurt M. Berger, Ph.D.	Registration No.:	51,461

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Pocket No. 245972US2DIV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Tetsuro MOTOYAMA

SERIAL NO: New Application

FILING DATE: Herewith

FOR: METHOD AND SYSTEM FOR DIAGNOSIS AND CONTROL OF MACHINES USING CONNECTION AND CONNECTIONLESS MODES OF COMMUNICATION

## FEE TRANSMITTAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	27 - 20 =	7	x \$18 =	\$126.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$86 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$290 =	\$0.00
<input type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$0.00
BASIC FEE				\$770.00
TOTAL OF ABOVE CALCULATIONS				\$896.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$896.00

- ☐ Please charge Deposit Account No. 15-0030 in the amount of \$0.00. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ Credit card payment form is attached to cover the filing fee in the amount of \$896.00
- ☒ The Director is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Date:

Dec. 17, 2003

James J. Kulbaski

Registration No. 34,648

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Kurt M. Berger, Ph.D.

Registration No. 51,461

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Tetsuro MOTOYAMA
	Title	METHOD AND SYSTEM FOR DIAGNOSIS AND CONTROL OF MACHINES USING CONNECTION AND CONNECTIONLESS MODES OF COMMUNICATION	
	Atty Docket Number		245972US2DIV

I here by certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b)

<u>12-17-03</u> Date	<u>James J. Kulbaski</u> Name	<u>34,648</u> Registration Number
Correspondence Address		
Customer Number		
22850	<u>Kurt M. Berger</u> Signature <b>Kurt M. Berger Ph.D.</b> <b>Registration No. 51,461</b>	

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of application eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this applicaiton (35 U.S.C. 122(b)(2)(B)(iii)).**